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Julie Cape

Date

12/07/06

Certificate
DEC 14 2006
of Correction

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.: 09/757,332
Filed: January 9, 2001
Patent No.: 7,011,817
Issued: March 14, 2006
Applicant(s): Samuel I. Achilefu, Raghavean Rajagopalan, Richard B. Dorshow,
Joseph E. Bugaj
Title: HYDROPHILIC CYANINE DYES

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

ATTN: DECISION AND CERTIFICATE OF CORRECTION
BRANCH OF THE PATENT ISSUE DIVISION

**REQUEST FOR CERTIFICATE OF CORRECTION OF PATENT
FOR PTO MISTAKE (37 CFR §1.322 (a)) AND
APPLICANT'S MISTAKE (37 C.F.R. §1.323)**

Sir:

Attached in duplicate form, is Form PTO-1050, with at least one copy being suitable for printing. Many of the errors below are (or may be contended to be) the mistake of the Applicants who states that the errors are of a minor nature or character and occurred in good faith, and correction thereof does not involve such changes in the patent as would constitute new matter or would require reexamination. Some of the errors which appear in the Form PTO-1050 were typographical errors which occurred through the fault of the U.S. Patent and Trademark Office ("PTO").

12/12/2006 RFEKADU1 00000036 7011817

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DEC 15 2006

The exact column and line number where the errors are shown in the patent are as follows:

Page 1, OTHER PUBLICATIONS, Column 1, reads “Bergmark et al., *Dramatic Fluorescence Effects for Coumarin Laser Dyes Coincluded with Organic Solvents in Cyclodextrins*,...” and should read – Bergmark et al., *Dramatic Fluorescence Effects for Coumarin Laser Dyes Coincluded with Organic Solvents in Cyclodextrins*, ... – .

Page 1, OTHER PUBLICATIONS, Column 2, reads “Narayanan et al., *A New Method for the Synthesis of Heptamethine Cyanine Dyes: Synthesis of Near-Infrared Fluorescent Labels*, ...” and should read – Narayanan et al., *A New Method for the Synthesis of Heptamethine Cyanine Dyes: Synthesis of New Near-Infrared Fluorescent Labels*, ... – .

Column 8, line 48 reads “... SO₃; R₁=R₂=H (Formula 1)...” and should read – SO₃; R₁=R₂=H (Formula 1)... – .

Column 8, line 50 reads “...R₁=R₂=H...” and should read – ...R₁=R₂=H... – .

Column 11, line 14 reads, “...P=presence or absence...” and should read – “...P’= presence or absence... – .

Column 12, line 17 reads, “...R=R’...” and should read – ...R=R’... – .

Column 12, line 40 reads, “...R=R’...” and should read – ...R=R’... – .

Column 12, line 63 reads, “...R₁=R₂...” and should read – ...R₁=R₂... – .

Column 13, line 4 reads, “...R₁=R₂...” and should read – ...R₁=R₂... – .

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Columns 21-22, SEQUENCE LISTING:

Under <400> SEQUENCE:1, <220> FEATURE:, <223> OTHER INFORMATION: reads, “Xaa at location 8 represents Thr-OH. Artificial sequence is ely synthesized.” and should read – Xaa at location 8 represents Thr-OH. Artificial sequence is completely synthesized.”

Column 24, Claim 1, line 48 reads, "... $(\text{CH}_2)_a\text{—N(R}^3\text{)—}(\text{CH}_2)_b\text{—NHCO-Bm, —}(\text{CH}_2)_a\text{—N...}$ " and should read — ... $(\text{CH}_2)_a\text{—N(R}^3\text{)—}(\text{CH}_2)_c\text{—NHCO-Bm, —}(\text{CH}_2)_a\text{—N...}$ —.

Column 25, Claim 1, line 10 reads, "... and R^{20} to R^{37} are independently..." and should read — ... and R^{29} to R^{37} are independently... —.

Column 25, Claim 1, line 17 reads, "... $\text{CH}_2)_a\text{—CONH-Bm, }(\text{CH}_2)_b\text{—NHCO-Bm, —CH}_2\text{— ...}$ " and should read — ... $\text{CH}_2)_a\text{—CONH-Bm, }(\text{CH}_2)_a\text{—NHCO-Bm, —CH}_2\text{— ...}$ —.

Please send the certificate to:

Beverly A Lyman, Ph.D.
Wood, Herron & Evans, L.L.P.
2700 Carew Tower
Cincinnati, Ohio 45202

As some of the errors are, or could be contended to be Applicant's mistakes, enclosed is a check for \$100.00 to cover the correction fee. If there is any further charge or credit due, please use Deposit Account No. 23-3000.

Respectfully submitted,

WOOD, HERRON & EVANS, L.L.P.

By: Beverly A. Lyman
Beverly A. Lyman, Reg No. 41,961

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UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT NO. : 7,011,817

DATED : March 14, 2006

INVENTOR(S) : Samuel I. Achilefu, Raghavean Rajagopalan, Richard B. Dorshow, and
Joseph E. Bugaj

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MAILING ADDRESS OF SENDER:

Wood, Herron & Evans, L.L.P.
2700 Carew Tower
441 Vine Street
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